

APPEAL

**United States District Court  
District of Massachusetts (Boston)  
CIVIL DOCKET FOR CASE #: 1:04-cv-12137-JLT**

Genereux et al v. American Beryllia Corp. et al  
Assigned to: Judge Joseph L. Tauro  
Case in other court: Middlesex Superior Court, 04-02520  
Cause: 28:1331 Fed. Question: Personal Injury

Date Filed: 10/08/2004  
Date Terminated: 09/27/2007  
Jury Demand: Defendant  
Nature of Suit: 440 Civil Rights: Other  
Jurisdiction: Federal Question

**Plaintiff****Suzanne Genereux**

*Individually and as Parent and Natural  
Guardian to minor children Angela and  
Krista Genereux*

represented by **Leo V. Boyle**  
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**Plaintiff**

**Barry Genereux**  
*Individually and as Parent and Natural  
Guardian of Minor Children Angela  
and Krista Genereux*

represented by **Leo V. Boyle**  
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**Bradley M. Henry**  
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V.

**Defendant**

**American Beryllia Corp.**

represented by **William F. Ahern, Jr.**  
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**Defendant**

**Brush Wellman, Inc.**

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**Defendant**

**Brush Wellman Ceramics, Inc.**

represented by **Alan M. Spiro**  
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*LEAD ATTORNEY*  
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**Timothy M. Hudson**  
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**Defendant**

**Brush Wellman Ceramic Products,  
Inc.**

represented by **Alan M. Spiro**  
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*ATTORNEY TO BE NOTICED*

**Jeffrey D. Ubersax**  
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**Timothy M. Hudson**  
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**Defendant**

**Hardric Laboratories, Inc.**

represented by **Frances C. Lindemann**  
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**Defendant**

**Kyocera America, Inc.**  
*TERMINATED: 06/21/2006*

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**Defendant**

**Kyocera Industrial Ceramics Corp.**  
*TERMINATED: 06/21/2006*

represented by **John C. Wyman**  
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*LEAD ATTORNEY*  
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**Sara P. Bryant**  
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**Defendant**

**Raytheon Company**  
*TERMINATED: 06/22/2006*

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**Cross Claimant**

**Hardric Laboratories, Inc.**  
*TERMINATED: 12/20/2004*

represented by **Robert M.A. Nadeau**  
(See above for address)  
*LEAD ATTORNEY*  
*ATTORNEY TO BE NOTICED*

V.

**Cross Defendant**

**American Beryllia Corp.**



TERMINATED: 12/20/2004

**Cross Defendant**

**Brush Wellman Ceramic Products, Inc.**

TERMINATED: 12/20/2004

**Cross Defendant**

**Brush Wellman Ceramics, Inc.**

TERMINATED: 12/20/2004

**Cross Defendant**

**Brush Wellman, Inc.**

TERMINATED: 12/20/2004

**Cross Defendant**

**Kyocera America, Inc.**

TERMINATED: 12/20/2004

**Cross Defendant**

**Kyocera Industrial Ceramics Corp.**






TERMINATED: 12/20/2004

**Cross Defendant**












**Raytheon Company**

TERMINATED: 12/20/2004

represented by **Ronald M. Jacobs**  
(See above for address)  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/08/2004	 <u>1</u>	NOTICE OF REMOVAL by Brush Wellman, Inc.. Kyocera America, Inc., Kyocera Industrial Ceramics Corp. from Middlesex County Superior Court, case number CV2004-02520-D. , filed by Brush Wellman, Inc., Kyocera America, Inc., Kyocera Industrial Ceramics Corp.. (Attachments: # <u>1</u> Exhibit Part 1# <u>2</u> Exhibit Part 2# <u>3</u> Civil Cover Sheet# <u>4</u> Exhibit Part 3# <u>5</u> Exhibit Part 4)(Abaid, Kim) (Entered: 10/12/2004)
10/08/2004		If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Bowler. (Abaid, Kim) (Entered: 10/12/2004)
10/18/2004	 <u>2</u>	NOTICE of Appearance by James F. Kavanaugh Jr. on behalf of Raytheon Company (Abaid, Kim) (Entered: 10/19/2004)
10/18/2004	 <u>3</u>	MOTION for Extension of Time to November 10, 2004 to File Answer re <u>1</u> Notice of Removal, by Raytheon Company.(Abaid, Kim) (Entered: 10/19/2004)
10/18/2004	 <u>4</u>	STATE COURT Record American Beryllia Corp. served on 9/13/2004,















		answer due 10/4/2004; Brush Wellman Ceramic Products, Inc. served on 9/16/2004. answer due 10/6/2004; Brush Wellman Ceramics, Inc. served on 9/16/2004, answer due 10/6/2004; Brush Wellman, Inc. served on 9/14/2004, answer due 10/4/2004; Hardric Laboratories, Inc. served on 9/15/2004, answer due 10/5/2004; Kyocera America, Inc. served on 9/13/2004, answer due 10/4/2004; Kyocera Industrial Ceramics Corp. served on 9/14/2004, answer due 10/4/2004; Raytheon Company served on 9/19/2004, answer due 10/11/2004.. (Abaid, Kim) (Entered: 10/19/2004)
10/18/2004		***Attorney Ronald M. Jacobs for Raytheon Company added. (Abaid, Kim) (Entered: 11/02/2004)
10/20/2004		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>3</u> Motion for Extension of Time to Answer re <u>1</u> Notice of Removal, (Abaid, Kim) (Entered: 10/21/2004)
10/20/2004	 5	MOTION for Extension of Time to November 10, 2004 to File Answer re <u>1</u> Notice of Removal, by Brush Wellman Ceramic Products, Inc., Brush Wellman Ceramics, Inc., Brush Wellman, Inc..(Abaid, Kim) (Entered: 10/21/2004)
10/20/2004		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>5</u> Motion for Extension of Time to Answer Brush Wellman Ceramic Products, Inc., Brush Wellman Ceramics, Inc., Brush Wellman, Inc.. (Abaid, Kim) (Entered: 10/21/2004)
10/21/2004		Notice of correction to docket made by Court staff. Correction: Docket corrected because: Re-entered electronic order as it should not have been issued a number (Abaid, Kim) (Entered: 10/21/2004)
10/26/2004	 6	Assented-To MOTION for Extension of Time to November 10, 2004 to serve and file responsive pleadings by Kyocera America, Inc., Kyocera Industrial Ceramics Corp.(Abaid, Kim) (Entered: 10/27/2004)
11/01/2004	 16	MOTION for Extension of Time to November 10, 2004 to Serving and Filing Responsive Pleadings by Hardric Laboratories, Inc..(Abaid, Kim) (Entered: 11/15/2004)
11/01/2004		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>16</u> Motion for Extension of Time (Abaid, Kim) (Entered: 11/15/2004)
11/08/2004	 7	ANSWER to Amended Complaint, CROSSCLAIM against American Beryllia Corp., Brush Wellman Ceramic Products, Inc., Brush Wellman Ceramics, Inc., Brush Wellman, Inc., Kyocera America, Inc., Kyocera Industrial Ceramics Corp., Raytheon Company by Hardric Laboratories, Inc..(Abaid, Kim) (Entered: 11/09/2004)
11/10/2004	 8	MOTION to Dismiss <i>Count VIII</i> by Raytheon Company.(Jacobs, Ronald) (Entered: 11/10/2004)
11/10/2004	 9	MEMORANDUM in Support re <u>8</u> MOTION to Dismiss <i>Count VIII</i> filed by Raytheon Company. (Attachments: # <u>1</u> Exhibit List of Authorities) (Jacobs, Ronald) (Entered: 11/10/2004)

11/10/2004	<a href="#"><u>10</u></a>	MOTION to Dismiss <i>or for Summary Judgment</i> by Kyocera America, Inc., Kyocera Industrial Ceramics Corp.. (Attachments: # <a href="#"><u>1</u></a> Affidavit of Kevin Gaughan)(Wyman, John) (Entered: 11/10/2004)
11/10/2004	<a href="#"><u>11</u></a>	MEMORANDUM in Support re <a href="#"><u>10</u></a> MOTION to Dismiss <i>or for Summary Judgment</i> filed by Kyocera America, Inc., Kyocera Industrial Ceramics Corp.. (Wyman, John) (Entered: 11/10/2004)
11/10/2004	<a href="#"><u>12</u></a>	MOTION to Dismiss Counts 4-8, 12 and 13 of Plaintiffs' Amended COMplaint by Brush Wellman Ceramic Products, Inc.. Brush Wellman Ceramics, Inc..(Abaid, Kim) (Entered: 11/15/2004)
11/10/2004	<a href="#"><u>13</u></a>	MEMORANDUM in Support re <a href="#"><u>12</u></a> MOTION to Dismiss Counts 4-8, 12 and 13 filed by Brush Wellman Ceramic Products, Inc., Brush Wellman Ceramics, Inc.. (Attachments: # <a href="#"><u>1</u></a> )(Abaid, Kim) (Entered: 11/15/2004)
11/10/2004	<a href="#"><u>14</u></a>	MOTION to Drop Misjoined Parties by Brush Wellman, Inc..(Abaid, Kim) (Entered: 11/15/2004)
11/10/2004	<a href="#"><u>15</u></a>	ANSWER to Amended Complaint by Brush Wellman Ceramic Products, Inc.. Brush Wellman Ceramics, Inc.. Brush Wellman, Inc..(Abaid, Kim) (Entered: 11/15/2004)
11/12/2004	<a href="#"><u>17</u></a>	AFFIDAVIT of Michael C. Hasychak in support re <a href="#"><u>14</u></a> MOTION to Drop Misjoined Parties by Brush Wellman, Inc.. (Abaid, Kim) (Entered: 11/16/2004)
11/19/2004	<a href="#"><u>18</u></a>	Assented-to MOTION for Extension of Time to December 1, 2004 to serve and file responsive pleadings by American Beryllia Corp..(Abaid, Kim) (Entered: 11/22/2004)
11/22/2004	<a href="#"><u>19</u></a>	Joint MOTION to set schedule for oppositions and for Extension of Time to December 22, 2004 to File Response/Reply as to <a href="#"><u>8</u></a> MOTION to Dismiss <i>Count VIII</i> . <a href="#"><u>9</u></a> Memorandum in Support of Motion, <a href="#"><u>10</u></a> MOTION to Dismiss <i>or for Summary Judgment</i> . <a href="#"><u>11</u></a> Memorandum in Support of Motion, <a href="#"><u>12</u></a> MOTION to Dismiss, <a href="#"><u>13</u></a> Memorandum in Support of Motion. <a href="#"><u>14</u></a> MOTION to Drop Misjoined Parties <i>entitled Joint Motion of the Parties to Set Schedule for Oppositions and Reply Briefs Regarding Motions to Dismiss</i> filed by Barry Genereux, Suzanne Genereux.(Henry, Bradley) Modified on 11/23/2004 (Abaid, Kim). (Entered: 11/22/2004)
11/29/2004	<a href="#"><u>20</u></a>	MOTION to Dismiss <i>Cross-Claims of Defendant Hardric Laboratories, Inc.</i> by Raytheon Company.(Jacobs, Ronald) (Entered: 11/29/2004)
11/29/2004	<a href="#"><u>21</u></a>	MEMORANDUM in Support re <a href="#"><u>20</u></a> MOTION to Dismiss <i>Cross-Claims of Defendant Hardric Laboratories, Inc.</i> filed by Raytheon Company. (Jacobs, Ronald) (Entered: 11/29/2004)
11/30/2004	<a href="#"><u>2</u></a>	Judge Joseph L. Tauro : Electronic ORDER entered granting <a href="#"><u>18</u></a> Motion for Extension of Time for Serving and Filing Responsive Pleadings, and, granting <a href="#"><u>19</u></a> Joint Motion of the Parties to Set Schedule for Oppositions and Reply Briefs Regarding Motions to Dismiss. (Abaid, Kim) (Entered: 11/30/2004)

12/03/2004	<a href="#"><u>22</u></a>	ANSWER to Amended Complaint with Jury Demand by American Beryllia Corp. (Abaid, Kim) (Entered: 12/06/2004)
12/09/2004	<a href="#"><u>23</u></a>	NOTICE of Scheduling Conference Scheduling Conference set for 1/5/2005 10:30 AM in Courtroom 20 before Judge Joseph L. Tauro. (Abaid, Kim) (Entered: 12/09/2004)
12/09/2004	<a href="#"><u>24</u></a>	Judge Joseph L. Tauro : RULE 26 DISCOVERY ORDER entered. (Abaid, Kim) (Entered: 12/09/2004)
12/13/2004	<a href="#"><u>26</u></a>	NOTICE of Voluntary Dismissal of Cross Claims Against American Beryllia Corp., Brush Wellman, Inc., Brush Wellman Ceramics, Inc., Brush Wellman Ceramic Products, Inc., Kyocera America, Inc., and Kyocera Industrial Ceramics Corp. by Hardric Laboratories, Inc. (Abaid, Kim) (Entered: 12/20/2004)
12/13/2004	<a href="#"><u>25</u></a>	***Attorney Robert M.A. Nadeau for Hardric Laboratories, Inc. and Hardric Laboratories, Inc. added. (Abaid, Kim) (Entered: 12/21/2004)
12/16/2004	<a href="#"><u>26</u></a>	NOTICE of Cancellation of January 5, 2005 scheduling conference. The conference is hereby re-scheduled to February 14, 2005 at 10:00 a.m. for amotion hearing. The new discovery conference date will be announced at that time. (Lovett, Zita) (Entered: 12/16/2004)
12/17/2004	<a href="#"><u>25</u></a>	MOTION for Leave to Appear Pro Hac Vice by Ruben Honik, Sherrie J. Cohen, Stephan Matanovic <i>and Plaintiffs' L.R. 7.1 Certificate</i> by Barry Genereux, Suzanne Genereux.(Henry, Bradley) (Entered: 12/17/2004)
12/20/2004	<a href="#"><u>27</u></a>	NOTICE of Voluntary Dismissal of Cross-Claims against Raytheon Company by Hardric Laboratories, Inc. (Abaid, Kim) (Entered: 12/21/2004)
12/21/2004	<a href="#"><u>28</u></a>	Filing fee: \$ 50.00, receipt number 60971 regarding <u>25</u> Motion for Pro Hac Vice (Abaid, Kim) (Entered: 12/22/2004)
12/22/2004	<a href="#"><u>28</u></a>	Opposition re <u>14</u> MOTION to Drop Misjoined Parties filed by Barry Genereux, Suzanne Genereux. (Attachments: # <u>1</u> Exhibit A: Corp. Search Materials for Brush Ceramics# <u>2</u> Exhibit B: Corp. Search Materials for Brush Ceramic Products)(Henry, Bradley) (Entered: 12/22/2004)
12/22/2004	<a href="#"><u>29</u></a>	Opposition re <u>8</u> MOTION to Dismiss <i>Count VIII</i> filed by Barry Genereux, Suzanne Genereux. (Henry, Bradley) (Entered: 12/22/2004)
12/22/2004	<a href="#"><u>30</u></a>	Opposition re <u>10</u> MOTION to Dismiss <i>or for Summary Judgment of Defendants Kyocera America, Inc. and Kyocera Industrial Ceramics Corp.</i> filed by Barry Genereux, Suzanne Genereux. (Henry, Bradley) (Entered: 12/22/2004)
12/22/2004	<a href="#"><u>31</u></a>	Opposition re <u>12</u> MOTION to Dismiss <i>of Defendants Brush Wellman, Inc., Brush Wellman Ceramics, Inc. and Brush Wellman Ceramic Products, Inc.</i> filed by Barry Genereux, Suzanne Genereux. (Henry, Bradley) (Entered: 12/22/2004)
12/29/2004	<a href="#"><u>32</u></a>	Filing fee: \$ 100.00, receipt number 61091 regarding <u>25</u> Motion for Pro


















		Hac Vice (Abaid, Kim) (Entered: 01/03/2005)
12/29/2004		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>25</u> Motion for Leave to Appear Pro Hac Vice Added Ruben Honik for Suzanne Genereux and Barry Genereux, Sherrie J. Cohen for Suzanne Genereux and Barry Genereux, Stephan Matanovic for Suzanne Genereux and Barry Genereux (Abaid, Kim) (Entered: 01/03/2005)
01/05/2005		<u>32</u> MOTION for Leave to Appear Pro Hac Vice by Jeffery D. Ubersax and Timothy M. Hudson by Brush Wellman Ceramic Products, Inc., Brush Wellman, Inc., Brush Wellman Ceramics, Inc.. (Attachments: # <u>1</u> Certificate of Jeffery D. Ubersax# <u>2</u> Certificate of Timothy M. Hudson) (Abaid, Kim) (Entered: 01/10/2005)
01/12/2005		Filing fee: \$ 100.00, receipt number 61371 regarding <u>32</u> Motion for Pro Hac Vice (Abaid, Kim) (Entered: 01/13/2005)
01/12/2005		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>32</u> Motion for Leave to Appear Pro Hac Vice Added Timothy M. Hudson for Brush Wellman Ceramics, Inc.; Brush Wellman Ceramic Products, Inc. and Brush Wellman, Inc., Jeffrey D. Ubersax for Brush Wellman Ceramics, Inc.; Brush Wellman Ceramic Products, Inc. and Brush Wellman, Inc. (Abaid, Kim) (Entered: 01/13/2005)
01/14/2005		<u>33</u> REPLY to Response to Motion re <u>10</u> MOTION to Dismiss <i>or for Summary Judgment</i> filed by Kyocera America, Inc., Kyocera Industrial Ceramics Corp.. (Bryant, Sara) (Entered: 01/14/2005)
01/14/2005		<u>34</u> Response by Brush Wellman, Inc. to <u>31</u> Opposition to Motion To Drop Misjoined Parties. (Abaid, Kim) (Entered: 01/18/2005)
01/14/2005		<u>35</u> SUPPLEMENTAL AFFIDAVIT of Michael C. Hasychak by Brush Wellman, Inc.. (Abaid, Kim) (Entered: 01/18/2005)
01/14/2005		<u>36</u> Response by Brush Wellman Ceramic Products, Inc., Brush Wellman, Inc., Brush Wellman Ceramics, Inc. to <u>31</u> Opposition to Motion to Dismiss. (Abaid, Kim) (Entered: 01/18/2005)
01/18/2005		<u>37</u> MOTION for Leave to Appear Pro Hac Vice by Michael H. Madigan Filing fee \$ 50.00, receipt number 61521. by Hardric Laboratories, Inc. (Abaid, Kim) (Entered: 01/19/2005)
01/19/2005		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>37</u> Motion for Leave to Appear Pro Hac Vice Added Michael H. Madigan for Hardric Laboratories, Inc. (Abaid, Kim) (Entered: 01/19/2005)
01/24/2005		Mail Returned as Undeliverable. Mail sent to Ruben Honik (Abaid, Kim) (Entered: 01/24/2005)
01/28/2005		<u>38</u> SUR-REPLY to Motion re <u>14</u> MOTION to Drop Misjoined Parties <i>and Plaintiffs' Response to Reply of Defendant Brush Wellman, Inc. to Plaintiffs' Opposition to Motion to Drop Misjoined Parties</i> filed by Suzanne Genereux, Barry Genereux. (Henry, Bradley) (Entered: 01/28/2005)

01/28/2005	<a href="#"><u>39</u></a>	SUR-REPLY to Motion re <a href="#"><u>12</u></a> MOTION to Dismiss <i>and Plaintiffs' Reply Brief In Opposition to Defendant Brush Wellman, Inc.'s, Brush Wellman Ceramic, Inc.'s and Brush Wellman Ceramic Products, Inc.'s Motion to Dismiss</i> filed by Suzanne Genereux, Barry Genereux. (Henry, Bradley) (Entered: 01/28/2005)
01/28/2005	<a href="#"><u>40</u></a>	SUR-REPLY to Motion re <a href="#"><u>10</u></a> MOTION to Dismiss <i>or for Summary Judgment and Plaintiffs' Reply Brief in Opposition to the Defendants Kyocera America Inc.'s and Kyocera Industrial Ceramics Corp.'s Motion to Dismiss the Amended Complaint or for Summary Judgment</i> filed by Suzanne Genereux, Barry Genereux. (Henry, Bradley) (Entered: 01/28/2005)
02/02/2005	<a href="#"><u>41</u></a>	Judge Joseph L. Tauro : Electronic ORDER entered denying <a href="#"><u>20</u></a> Motion to Dismiss the Cross-Claims of Hardric Laboratories, Inc. (Abaid, Kim) (Entered: 02/03/2005)
02/11/2005	<a href="#"><u>41</u></a>	NOTICE of Appearance by Armando J. Acosta on behalf of American Beryllia Corp. (Acosta, Armando) (Entered: 02/11/2005)
02/14/2005	<a href="#"><u>42</u></a>	Judge Joseph L. Tauro : ORDER entered <a href="#"><u>12</u></a> Motion to Dismiss Counts is ALLOWED with respect to counts IV, VII, and XII. <a href="#"><u>14</u></a> Motion to drop misjoined parties is ALLOWED. The Parties shall file a status report with this court by April 15, 2005 regarding Defendant Kyocera's Motion for Summary Judgment. All pending dispositive motions will be taken under advisement after April 15, 2005. (Abaid, Kim) (Entered: 02/14/2005)
03/03/2005	<a href="#"><u>43</u></a>	MOTION for Leave to File Supplemental Brief by Brush Wellman, Inc. (Attachments: # <a href="#"><u>1</u></a> Proposed Brief Part I# <a href="#"><u>2</u></a> Proposed Brief Part II)(Abaid, Kim) (Entered: 03/07/2005)
03/09/2005	<a href="#"><u>43</u></a>	Judge Joseph L. Tauro : Electronic ORDER entered granting <a href="#"><u>43</u></a> Motion for Leave to File (Lovett, Zita) (Entered: 03/09/2005)
03/09/2005	<a href="#"><u>44</u></a>	SUPPLEMENTAL BRIEF re: Motion to Dismiss Count VI of the Complaint by Brush Wellman, Inc.. (Attachments: # <a href="#"><u>1</u></a> Supplemental Brief Continued)(Abaid, Kim) (Entered: 03/14/2005)
03/16/2005	<a href="#"><u>45</u></a>	Supplemental SUR-REPLY to Motion re <a href="#"><u>10</u></a> MOTION to Dismiss <i>or for Summary Judgment of Defendant Kyocera Industrial Ceramics Corp. Pursuant to the Court's February 14, 2005 Bench Order</i> filed by Suzanne Genereux, Barry Genereux. (Attachments: # <a href="#"><u>1</u></a> Affidavit Exhibit A: Declaration of Frank Balint In Support of Plaintiffs' Opposition to Defendant Kyocera Industrial Ceramics Corp.'s Motion to Dismiss or for Summary Judgment)(Henry, Bradley) (Entered: 03/16/2005)
04/07/2005	<a href="#"><u>46</u></a>	TRANSCRIPT of Motion Hearing held on February 14, 2005 before Judge Tauro. Court Reporter: Carol Lynn Scott. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/330-1377 or the Clerk's Office. (Scaifani, Deborah) (Entered: 04/07/2005)

04/13/2005	<a href="#"><u>47</u></a>	MOTION for Leave to File Supplemental Brief in Support of its Motion to Dismiss Count VIII of Plaintiffs' Complaint. by Brush Wellman, Inc. (Abaid, Kim) (Entered: 04/14/2005)
04/14/2005	<a href="#"><u>47</u></a>	Judge Joseph L. Tauro : Electronic ORDER entered <a href="#"><u>47</u></a> Motion for Leave to File Supplemental Brief is DENIED WITHOUT PREJUDICE to refile with certification pursuant to Local Rule 7.1(A)(2). (Abaid, Kim) (Entered: 04/14/2005)
04/15/2005	<a href="#"><u>48</u></a>	STATUS REPORT - <i>PLAINTIFFS' STATUS REPORT PURSUANT TO THE COURT'S FEBRUARY 14, 2005 BENCH ORDER</i> by Suzanne Genereux, Barry Genereux. (Henry, Bradley) (Entered: 04/15/2005)
04/15/2005	<a href="#"><u>49</u></a>	STATUS REPORT by Kyocera America, Inc., Kyocera Industrial Ceramics Corp.. (Attachments: # <a href="#"><u>1</u></a> Text of Proposed Order Proposed Scheduling Order)(Bryant, Sara) (Entered: 04/15/2005)
04/26/2005	<a href="#"><u>50</u></a>	MOTION for Leave to File Supplemental Brief in Support of its Motion to Dismiss Count VIII of the Complaint by Brush Wellman, Inc. (Attachments: # <a href="#"><u>1</u></a> Supplemental Brief Part 1# <a href="#"><u>2</u></a> Supplemental Brief Part 2)(Abaid, Kim) (Entered: 04/27/2005)
05/11/2005	<a href="#"><u>51</u></a>	Opposition re <a href="#"><u>50</u></a> MOTION for Leave to File ( <i>Plaintiffs' Opposition to Defendant Brush Wellman, Inc.'s Motion to File Supplemental Materials</i> ) filed by Suzanne Genereux, Barry Genereux. (Henry, Bradley) (Entered: 05/11/2005)
05/12/2005	<a href="#"><u>52</u></a>	Judge Joseph L. Tauro : ORDER entered <a href="#"><u>8</u></a> Motion to Dismiss Count VIII is ALLOWED with respect to Plaintiffs Barry, Angela, and Krista Genereux for failure to allege damages. <a href="#"><u>10</u></a> Motion to Dismiss the Amended Complaint or for Summary Judgment is DENIED WITHOUT PREJUDICE to raising the issue after the close of discovery. <a href="#"><u>12</u></a> Motion to Dismiss Counts IV - VIII, XII, and XIII of the Amended Complaint is ALLOWED as to Count VIII and DENIED as to Counts V, VI, and XIII. <a href="#"><u>50</u></a> Motion for Leave to File Supplemental Brief is DENIED AS MOOT. (Abaid, Kim) (Entered: 05/12/2005)
05/26/2005	<a href="#"><u>53</u></a>	Assented to MOTION for Extension of Time to 06/07/2005 to File Answer re <a href="#"><u>1</u></a> Notice of Removal. by Kyocera America, Inc., Kyocera Industrial Ceramics Corp..(Bryant, Sara) (Entered: 05/26/2005)
06/06/2005	<a href="#"><u>53</u></a>	Judge Joseph L. Tauro : Electronic ORDER entered granting <a href="#"><u>53</u></a> Motion for Extension of Time to Answer Kyocera America, Inc. answer due 6/7/2005; Kyocera Industrial Ceramics Corp. answer due 6/7/2005. (Abaid, Kim) (Entered: 06/06/2005)
06/06/2005	<a href="#"><u>54</u></a>	MOTION for Extension of Time to June 7, 2005 to File <i>First Amended Answer</i> by Brush Wellman, Inc..(Spiro, Alan) (Entered: 06/06/2005)
06/06/2005	<a href="#"><u>55</u></a>	AMENDED ANSWER to <i>Plaintiffs' Amended Complaint and Affirmative Defenses</i> by Brush Wellman, Inc.. (Spiro, Alan) (Entered: 06/06/2005)
06/07/2005	<a href="#"><u>54</u></a>	Judge Joseph L. Tauro : Electronic ORDER entered granting <a href="#"><u>54</u></a> Motion for Extension of Time to File (Abaid, Kim) (Entered: 06/07/2005)



06/07/2005	 56	NOTICE of Appearance by Sara P. Bryant on behalf of Kyocera America, Inc., Kyocera Industrial Ceramics Corp. (Bryant, Sara) (Entered: 06/07/2005)
06/07/2005	 57	ANSWER to Complaint by Kyocera America, Inc., Kyocera Industrial Ceramics Corp..(Wyman, John) (Entered: 06/07/2005)
07/22/2005		NOTICE by the COURT: a status conference is scheduled for August 17, 2005 at 11:00 a.m. (Lovett, Zita) (Entered: 07/22/2005)
07/25/2005	 58	NOTICE of Appearance by Robert M.A. Nadeau on behalf of Hardric Laboratories, Inc. (Nadeau, Robert) (Entered: 07/25/2005)
07/25/2005	 59	NOTICE of Withdrawal of Appearance Attorney Michael H. Madigan terminated. (Nadeau, Robert) (Entered: 07/25/2005)
08/10/2005		NOTICE by the COURT: the status conference set for August 17, 2005 is cancelled, it is re-scheduled for September 6, 2005 at 2:30 P.M. (Lovett, Zita) (Entered: 08/10/2005)
08/10/2005	 60	NOTICE of Withdrawal of Appearance Attorney Armando J. Acosta terminated. (Hunt, William) (Entered: 08/10/2005)
08/19/2005	 61	MOTION for Order to Certify Question to the Supreme Judicial Court of the Commonwealth of Massachusetts by Suzanne Genereux, Barry Genereux.(Henry, Bradley) (Entered: 08/19/2005)
08/19/2005	 62	MEMORANDUM in Support re 61 MOTION for Order to Certify Question to the Supreme Judicial Court of the Commonwealth of Massachusetts filed by Suzanne Genereux, Barry Genereux. (Attachments: # 1 Exhibit 1: Nat'l Jewish Medical & Research Center Test Results# 2 Exhibit 2: Beryllium Sensitization Progresses to Chronic Beryllium Disease)(Henry, Bradley) (Entered: 08/19/2005)
08/29/2005		NOTICE by the COURT< a status conference will be held on September 12, 2005 at 10:00 a.m. (Lovett, Zita) (Entered: 08/29/2005)
08/29/2005		NOTICE by the COURT: the September 6, 2005 is cancelled. (Lovett, Zita) (Entered: 08/29/2005)
09/02/2005	 63	Joint MEMORANDUM in Opposition re 61 MOTION for Order to Certify Question to the Supreme Judicial Court of the Commonwealth of Massachusetts filed by Brush Wellman, Inc.. (Spiro, Alan) (Entered: 09/02/2005)
09/12/2005	 64	Judge Joseph L. Tauro : ORDER entered re: DISCOVERY. All parties will complete discovery by May 31, 2006. A Further Conference is scheduled for June 6, 2006 at 10:00 AM in Courtroom 20 before Judge Joseph L. Tauro.(Abaid, Kim) (Entered: 09/13/2005)
09/14/2005	 65	Judge Joseph L. Tauro : ORDER entered 61 Motion for Order to Certify Question to the Supreme Judicial Court of the Commonwealth of Massachusetts is DENIED. (Abaid, Kim) (Entered: 09/20/2005)
09/20/2005	 66	CERTIFICATION pursuant to Local Rule 16.1 (d) by Brush Wellman.



		Inc..(Spiro, Alan) (Entered: 09/20/2005)
10/20/2005	<u>67</u>	NOTICE of Appearance by Robert M.A. Nadeau on behalf of Hardric Laboratories, Inc. (Nadeau, Robert) (Entered: 10/20/2005)
10/31/2005	<u>68</u>	CERTIFICATION pursuant to Local Rule 16.1 by Hardric Laboratories, Inc..(Nadeau, Robert) (Entered: 10/31/2005)
10/31/2005	<u>69</u>	STATEMENT of facts <i>Under Local Rules 26.1(B) and 26.2(A)</i> . (Nadeau, Robert) (Entered: 10/31/2005)
10/31/2005	<u>70</u>	Initial Disclosures by American Beryllia Corp..(Abaid, Kim) (Entered: 10/31/2005)
10/31/2005	<u>71</u>	CERTIFICATION pursuant to Local Rule 16.1 by Kyocera America, Inc.. Kyocera Industrial Ceramics Corp..(Abaid, Kim) (Entered: 11/01/2005)
11/02/2005	<u>72</u>	CERTIFICATION pursuant to Local Rule 16.1 by Hardric Laboratories, Inc..(Abaid, Kim) (Entered: 11/02/2005)
11/02/2005	<u>73</u>	Initial disclosures by Hardric Laboratories, Inc..(Abaid, Kim) (Entered: 11/02/2005)
11/08/2005	<u>74</u>	NOTICE of Appearance by MandiJo Hanneke on behalf of American Beryllia Corp. (Hanneke, MandiJo) (Entered: 11/08/2005)
11/08/2005	<u>75</u>	CERTIFICATION pursuant to Local Rule 16.1 by Kyocera America, Inc.. Kyocera Industrial Ceramics Corp..(Abaid, Kim) (Entered: 11/08/2005)
11/10/2005	<u>76</u>	CERTIFICATE OF CONSULTATION ( <i>Plaintiffs' Certification Pursuant to L.R. 16.1</i> ) by Bradley M. Henry on behalf of all plaintiffs. (Henry, Bradley) (Entered: 11/10/2005)
11/23/2005	<u>77</u>	CERTIFICATE OF CONSULTATION ( <i>Defendant's Certification Pursuant to LR 16.1(D)(3)</i> ) by MandiJo Hanneke on behalf of American Beryllia Corp.. (Hanneke, MandiJo) (Entered: 11/23/2005)
11/29/2005	<u>78</u>	Document disclosure by American Beryllia Corp..(Hanneke, MandiJo) Modified on 11/30/2005 (Abaid, Kim). ** Document is Incomplete. See Docket Entry 79 for Complete Document. ** (Entered: 11/29/2005)
11/29/2005	<u>79</u>	Document disclosure by American Beryllia Corp..(Hanneke, MandiJo) (Entered: 11/29/2005)
12/15/2005	<u>80</u>	MOTION to Compel <i>Disclosure and Production of Documents From Defendant Brush Wellman and Plaintiffs' L.R. 7.1 and 37.1 Certificate</i> by Suzanne Genereux, Barry Genereux. (Attachments: # <u>1</u> Exhibit A: Screen Print of Brush Wellman Document File Indices# <u>2</u> Exhibit B: Brush Wellman Disclosure)(Henry, Bradley) (Entered: 12/15/2005)
12/23/2005	<u>81</u>	Opposition to Motion re <u>80</u> MOTION to Compel <i>Disclosure and Production of Documents From Defendant Brush Wellman and Plaintiffs' L.R. 7.1 and 37.1 Certificate</i> filed by Brush Wellman, Inc.. (Attachments:

		# <u>1</u> Affidavit of J. Ubersax# <u>2</u> Affidavit of T. Haumann# <u>3</u> Exhibit A# <u>4</u> Exhibit B# <u>5</u> Exhibit C# <u>6</u> Exhibit D# <u>7</u> Exhibit E# <u>8</u> Exhibit F# <u>9</u> Exhibit G# <u>10</u> Exhibit H# <u>11</u> Exhibit I)(Hudson, Timothy) Modified on 12/27/2005 (Abaid, Kim). (Entered: 12/23/2005)
12/30/2005	<u>82</u>	TRANSCRIPT of Status Conference held on September 12, 2005 before Judge Tauro. Court Reporter: Carol Lynn Scott. The original transcripts are maintained in the case file in the Clerk's Office. Copies may be obtained by contacting the court reporter at 617/330-1377 or the Clerk's Office. (Scalfani, Deborah) (Entered: 12/30/2005)
01/06/2006	<u>83</u>	MOTION for Leave to File <i>Short Reply Memorandum to Defendant Brush Wellman's Opposition to Plaintiffs' Motion to Compel and Plaintiffs' L.R. 7.1 Certificate</i> by Suzanne Genereux, Barry Genereux. (Attachments: # <u>1</u> Exhibit Reply Memorandum# <u>2</u> Exhibit 1 to Reply: Letter dated 12/23/05)(Henry, Bradley) (Entered: 01/06/2006)
01/10/2006	<u>84</u>	Assented to MOTION for Leave to File <i>Surreply Memorandum</i> by Brush Wellman, Inc.. (Attachments: # <u>1</u> Surreply memorandum# <u>2</u> Exhibit A# <u>3</u> Exhibit B# <u>4</u> Exhibit C)(Hudson, Timothy) (Entered: 01/10/2006)
01/11/2006		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>84</u> Motion for Leave to File (Abaid, Kim) (Entered: 01/11/2006)
01/11/2006	<u>85</u>	SURREPLY MEMORANDUM in Opposition re <u>80</u> MOTION to Compel filed by Brush Wellman, Inc.. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C)(Abaid, Kim) (Entered: 01/11/2006)
01/12/2006	<u>86</u>	MOTION for Leave to Appear Pro Hac Vice by Frances C. Lindemann by Hardric Laboratories, Inc..(Nadeau, Robert) Additional attachment(s) added on 6/26/2006 (Abaid, Kim). (Entered: 01/12/2006)
01/12/2006	<u>87</u>	Certificate of Frances C. Lindemann in Support of <u>86</u> MOTION for Leave to Appear Pro Hac Vice by Frances C. Lindemann by Hardric Laboratories, Inc..(Nadeau, Robert) Modified on 6/26/2006 (Abaid, Kim). (Entered: 01/12/2006)
01/18/2006		Judge Joseph L. Tauro : Electronic ORDER entered denying <u>80</u> Motion to Compel (Abaid, Kim) (Entered: 01/18/2006)
01/18/2006		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>83</u> Motion for Leave to File Reply Memorandum (Abaid, Kim) (Entered: 01/18/2006)
01/18/2006	<u>88</u>	REPLY to Opposition to Motion re <u>80</u> MOTION to Compel <i>Disclosure and Production of Documents From Defendant Brush Wellman and Plaintiffs' L.R. 7.1 and 37.1 Certificate</i> filed by Suzanne Genereux, Barry Genereux. (Attachments: # <u>1</u> Exhibit 1)(Abaid, Kim) (Entered: 01/18/2006)
01/26/2006	<u>89</u>	Joint MOTION for Protective Order by Kyocera America, Inc., Kyocera Industrial Ceramics Corp.. (Attachments: # <u>1</u> Text of Proposed Order for Protective Order)(Wyman, John) (Entered: 01/26/2006)

01/30/2006	<u>90</u>	Judge Joseph L. Tauro : ORDER entered. STIPULATED PROTECTIVE ORDER(Abaid, Kim) (Entered: 01/31/2006)
01/30/2006		Judge Joseph L. Tauro : Electronic ORDER entered. ELECTRONIC ENDORSEMENT re <u>89</u> Joint MOTION for Protective Order filed by Kyocera America, Inc., Kyocera Industrial Ceramics Corp., - APPROVED.(Abaid, Kim) (Entered: 01/31/2006)
03/10/2006	<u>91</u>	Letter/request (non-motion) from John C. Wyman <i>to reschedule the June 6, 2006 Court Conference.</i> (Wyman, John) (Entered: 03/10/2006)
03/27/2006	<u>92</u>	Letter re: Scheduling from John C. Wyman. (Abaid, Kim) (Entered: 03/28/2006)
03/28/2006		ELECTRONICNOTICE OF RESCHEDULINGCase Management Conference set for 6/22/2006 10:00 AM in Courtroom 20 before Judge Joseph L. Tauro. (Lovett, Zita) (Entered: 03/28/2006)
04/28/2006	<u>93</u>	MOTION for Leave to Appear Pro Hac Vice by Robert S. Faxon <i>as Co-Counsel for Defendant Brush Wellman Inc.</i> by Brush Wellman, Inc.. (Spiro, Alan) (Entered: 04/28/2006)
04/28/2006	<u>94</u>	CERTIFICATION OF ROBERT S FAXON re <u>93</u> MOTION for Leave to Appear Pro Hac Vice by Robert S. Faxon <i>as Co-Counsel for Defendant Brush Wellman Inc.</i> (Spiro, Alan) Modified on 5/1/2006 (Abaid, Kim). (Entered: 04/28/2006)
05/05/2006	<u>95</u>	NOTICE of Change of Address by Alan M. Spiro (Spiro, Alan) (Entered: 05/05/2006)
06/21/2006	<u>96</u>	STIPULATION of Dismissal ( <i>Joint of the Kyocera Defendants Only</i> ) by Kyocera America, Inc., Kyocera Industrial Ceramics Corp.. (Wyman, John) (Entered: 06/21/2006)
06/22/2006	<u>97</u>	Judge Joseph L. Tauro : ORDER of Dismissal of Raytheon Company entered. (Abaid, Kim) (Entered: 06/22/2006)
06/22/2006		ElectronicClerk's Notes for proceedings held before Judge Joseph L. Tauro : Interim Pretrial Conference held on 6/22/2006; Court allows additional depositions and designation of experts (see order for details). A final pre trial conference will held on November 7, 2006 at 10:00 a.m. (Court Reporter Carol Scott.) (Lovett, Zita) (Entered: 06/26/2006)
06/22/2006	<u>98</u>	Judge Joseph L. Tauro : ORDER entered re: DISCOVERY. The Parties must complete the listed depositions by August 31, 2006. Plaintiffs have until October 2, 2006 to designate experts and file expert affidavits. Defendants have until November 1, 2006 to designate experts and file expert affidavits. A Final Pretrial Conference will be held on November 7, 2006 at 10:00 AM in Courtroom 20 before Judge Joseph L. Tauro. (Abaid, Kim) (Entered: 06/26/2006)
06/23/2006		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>86</u> Motion for Leave to Appear Pro Hac Vice, granting <u>87</u> Motion ADMIT PRO HAC VICE, granting <u>93</u> Motion for Leave to Appear Pro Hac Vice



		(Lovett, Zita) (Entered: 06/23/2006)
06/26/2006	<u>99</u>	Letter re: Subpoena from J.E. Caruolo. (Abaid, Kim) (Entered: 06/26/2006)
06/27/2006	<u>9</u>	Filing fee: \$ 50.00, receipt number 73379 re: <u>93</u> Motion for Leave to Appear Pro Hac Vice. (Abaid, Kim) (Entered: 06/29/2006)
06/30/2006	<u>9</u>	Filing fee: \$ 50.00, receipt number 73448 for <u>87</u> Motion for Leave to Appear Pro Hac Vice (Abaid, Kim) (Entered: 07/12/2006)
10/05/2006	<u>100</u>	Joint MOTION to Continue Final pretrial to November 29, 2006 by all parties.(Spiro, Alan) (Entered: 10/05/2006)
10/06/2006	<u>9</u>	Judge Joseph L. Tauro : Electronic ORDER entered granting <u>100</u> Motion to Continue FINAL Pretrial Conference set for 11/30/2006 10:00 AM in Courtroom 20 before Judge Joseph L. Tauro. (no further continuances will be granted). (Lovett, Zita) (Entered: 10/06/2006)
10/11/2006	<u>9</u>	E-Mail Notice returned as undeliverable. Name of Addressee: Kellie Cameron. The ECF Help Desk has contacted the law firm, who advised that the attorney is no longer employed at the office. The attorney's email address has been removed from the database to prevent the return of additional undeliverable email notices. (Hurley, Virginia) (Entered: 10/11/2006)
10/16/2006	<u>101</u>	MOTION for Leave to File Excess Pages <i>for Defendant Brush Wellman, Inc.'s Memorandum of Law in Support of Motion for Summary Judgment</i> by Brush Wellman, Inc..(Spiro, Alan) (Entered: 10/16/2006)
10/16/2006	<u>102</u>	MOTION for Summary Judgment by Brush Wellman, Inc..(Spiro, Alan) (Entered: 10/16/2006)
10/16/2006	<u>105</u>	APPENDIX/EXHIBIT re <u>102</u> MOTION for Summary Judgment <i>Appendix of Exhibits to Motion of Defendant Brush Wellman, Inc. for Summary Judgment</i> by Brush Wellman, Inc.. (Attachments: # <u>1</u> Appendix Ex. 1 - Ashley Deposition Excerpts and Certain Exhibits# <u>2</u> Appendix Ex. 2 - Balint Deposition Excerpts - FILED UNDER SEAL# <u>3</u> Appendix Ex. 3 - Broadbent Deposition Excerpts - FILED UNDER SEAL# <u>4</u> Affidavit ex. 4 - Chartier Dposition Excerpts - FILED UNDER SEAL# <u>5</u> Appendix Ex. 5 - Barry Genereau Deposition Excerpts# <u>6</u> Appendix Ex. 6 - Suzanne Genereaux Deposition Excerpts# <u>7</u> Appendix Ex. 7 - Kolanz Deposition Excerpts and Certain Exhibits# <u>8</u> Appendix Ex. 8 - McCarthy Dposition Excerpts - FILED UNDER SEAL# <u>9</u> Appendix Ex. 9 - Caruolo Declaration and Exhibits# <u>10</u> Appendix Ex. 11 - Chesmar Affidavit# <u>11</u> Appendix Ex. 11 - Hartford Affidavit and Exhibits - FILED UNDER SEAL# <u>12</u> Appendix Ex. 12 - Kolanz Declaration and Exhibits - FILED UNDER SEAL# <u>13</u> Appendix Martyny Affidavit Excerpts# <u>14</u> Appendix Ex. 14 - Ubersax Declaration and Exhibits - FILED UNDER SEAL)(Spiro, Alan) (Entered: 10/16/2006)
10/16/2006	<u>106</u>	CERTIFICATE OF SERVICE by Brush Wellman, Inc. re [104]

		Statement of facts. <u>105</u> Appendix/Exhibit,,... [103] Memorandum in Support of Motion, <u>102</u> MOTION for Summary Judgment. (Spiro, Alan) (Entered: 10/16/2006)
10/30/2006	<u>107</u>	Assented to MOTION for Extension of Time to 11/22/2006 to File Plaintiffs' Opposition to Defendant, Brush Wellman's Motion for Summary Judgment. and extension of time to file Plaintiffs' Opposition to Defendant. American Beryllia Corp.'s as yet unfiled Motion for Summary Judgment to a total of thirty (30) days from the date of filing of said motion by all plaintiffs.(Ainsworth, Peter) (Entered: 10/30/2006)
10/30/2006	<u>108</u>	MOTION for Leave to File Excess Pages by American Beryllia Corp.. (Hanneke, MandiJo) (Entered: 10/30/2006)
10/30/2006	<u>109</u>	MOTION for Summary Judgment by American Beryllia Corp..(Hanneke, MandiJo) (Entered: 10/30/2006)
10/30/2006	<u>110</u>	Judge Joseph L. Tauro : ORDER entered. PROCEDURAL ORDER re Pretrial Conference. Pretrial Conference set for 11/30/2006 10:00 AM in Courtroom 20 before Judge Joseph L. Tauro.(Abaid, Kim) (Entered: 10/30/2006)
10/30/2006	<u>111</u>	Statement of Material Facts L.R. 56.1 re <u>109</u> MOTION for Summary Judgment <i>FILED UNDER SEAL</i> filed by American Beryllia Corp.. (Attachments: # <u>1</u> Exhibit Ex. 1, S. Genereux Depo.# <u>2</u> Exhibit Ex. 2, Nicoletta Depo.# <u>3</u> Exhibit Ex. 3, Nicoletta Aff.# <u>4</u> Exhibit Ex. 4, Kolanz Dec., FILED UNDER SEAL# <u>5</u> Exhibit Ex. 5, Ubersax Aff., FILED UNDER SEAL# <u>6</u> Exhibit Ex. 6, McCarthy Depo.. FILED UNDER SEAL# <u>7</u> Exhibit Ex. 7, Chartier Depo.. FILED UNDER SEAL# <u>8</u> Exhibit Ex. 8, Part 1. Amended Disclosure Statement# <u>9</u> Exhibit Ex. 8, Amended Disclosure Statement, Part 2# <u>10</u> Exhibit Ex. 8, Amended Disclosure Statement, Exhibit A# <u>11</u> Exhibit Ex. 9, Asset Purchase# <u>12</u> Exhibit Ex. 10, Dissolution# <u>13</u> Exhibit Ex. 11, Gogolen Aff.# <u>14</u> Exhibit Ex. 12, Kolanz Depo.# <u>15</u> Exhibit Ex. 13, Hartford Aff.. FILED UNDER SEAL# <u>16</u> Exhibit Ex. 14, Broadbent Depo., FILED UNDER SEAL# <u>17</u> Exhibit Ex. 15, C. Balint Depo., FILED UNDER SEAL# <u>18</u> Exhibit Ex. 16, Martyny Aff.# <u>19</u> Exhibit Ex. 17, F. Balint Depo., FILED UNDER SEAL# <u>20</u> Exhibit Ex. 18, Caruolo Dec.# <u>21</u> Exhibit Ex. 19, B. Genereux Depo.# <u>22</u> Exhibit Ex. 20, Ashley Depo.)(Hanneke, MandiJo) (Entered: 10/30/2006)
10/30/2006	<u>112</u>	MEMORANDUM in Support re <u>109</u> MOTION for Summary Judgment <i>FILED UNDER SEAL</i> filed by American Beryllia Corp.. (Hanneke, MandiJo) (Entered: 10/30/2006)
10/30/2006	<u>113</u>	CERTIFICATE OF SERVICE by American Beryllia Corp. re <u>112</u> Memorandum in Support of Motion. <u>111</u> Statement of Material Facts L.R. 56.1,,... <u>109</u> MOTION for Summary Judgment. (Hanneke, MandiJo) (Entered: 10/30/2006)
10/31/2006		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>101</u> Motion for Leave to File Excess Pages, granting <u>107</u> Motion for Extension of Time to 11/22/2006, granting <u>108</u> Motion for Leave to File Excess Pages












		(Lovett, Zita) (Entered: 10/31/2006)
11/01/2006	<u>114</u>	DESIGNATION OF EXPERTS by American Beryllia Corp.. (Ahern, William) (Entered: 11/01/2006)
11/01/2006	<u>115</u>	NOTICE by Brush Wellman, Inc. <i>Disclosure of Expert Witnesses</i> (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit F# <u>6</u> Exhibit G# <u>7</u> Exhibit H# <u>8</u> Exhibit I# <u>9</u> Exhibit J# <u>10</u> Exhibit K# <u>11</u> Exhibit E)(Hudson, Timothy) (Entered: 11/01/2006)
11/14/2006	<u>116</u>	First MOTION to Dismiss Case as Frivolous <i>under Rule 11</i> by Hardric Laboratories, Inc.. (Attachments: # <u>1</u> Exhibit Genereux Depo Excerpts# <u>2</u> Exhibit Chartier Ex. 19# <u>3</u> Exhibit Chartier Depo Excerpts# <u>4</u> Exhibit Bailint Depo Excerpts# <u>5</u> Exhibit McCarthy Deposition Excerpts# <u>6</u> Exhibit 1989 Brush-Wellman Letter# <u>7</u> Exhibit Richard Depo Excerpts# <u>8</u> Exhibit Broadbent Depo Excerpts)(Lindenmann, Frances) (Entered: 11/14/2006)
11/17/2006		ELECTRONIC NOTICE Cancelling Hearing. Hearing cancelled: 11/30/2006. (Lovett, Zita) (Entered: 11/17/2006)
11/21/2006	<u>117</u>	Unopposed MOTION for Leave to File Excess Pages in <i>Oppositions to Summary Judgment Motions</i> by Suzanne Genereux. Barry Genereux. (Henry, Bradley) Modified on 11/22/2006 (Abaid, Kim). (Entered: 11/21/2006)
11/22/2006		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>117</u> Motion for Leave to File Excess Pages (Abaid, Kim) (Entered: 11/22/2006)
11/22/2006	<u>120</u>	Sealed Document - Opposition to Motion for Summary Judgment and Statement of Disputed Facts. (Abaid, Kim) (Entered: 11/27/2006)
11/22/2006	<u>121</u>	Sealed Document - Memorandum in Opposition to Motion For Summary Judgment. (Abaid, Kim) (Entered: 11/27/2006)
11/22/2006	<u>122</u>	Sealed Document - Appendix of Exhibits. (Attachments: # (1) Exhibit 1# (2) Exhibit 2# (3) Exhibit 3 Part 1# (4) Exhibit 3 Part 2# (5) Exhibit 3 Part 3# (6) Exhibit 4# (7) Exhibit 5# (8) Exhibit 6# (9) Exhibit 7# (10) Exhibit 8# (11) Exhibit 9# (12) Exhibit 10# (13) Exhibit 11# (14) Exhibit 12# (15) Exhibit 13# (16) Exhibit 14# (17) Exhibit 15# (18) Exhibit 16# (19) Exhibit 17# (20) Exhibit 18# (21) Exhibit 19# (22) Exhibit 20# (23) Exhibit 21# (24) Exhibit 22# (25) Exhibit 23# (26) Exhibit 24# (27) Exhibit 25# (28) Exhibit 26# (29) Exhibit 27# (30) Exhibit 28# (31) Exhibit 29# (32) Exhibit 30# (33) Exhibit 31)(Abaid, Kim) (Entered: 11/27/2006)
11/27/2006	<u>118</u>	First MOTION for Summary Judgment by Hardric Laboratories, Inc.. (Attachments: # (1) Exhibit Genereux Depo Excerpts# (2) Exhibit Richards Depo-Pt 1# <u>3</u> Exhibit Richards Depo-Part 2# <u>4</u> Exhibit Kolenz Depo Excerpts# <u>5</u> Exhibit Ubersax Affidavit# <u>6</u> Exhibit McCarthy Depo Excerpts# <u>7</u> Exhibit Chartier Depo Excerpts# <u>8</u> Exhibit Balint Depo Excerpts# <u>9</u> Exhibit Kolanz Depo Excerpts# <u>10</u> Exhibit Gogolen Declaration# <u>11</u> Exhibit Hardtford Affidavit Excerpts# <u>12</u> Exhibit



		Broadbent Depo Excerpts# <u>13</u> Exhibit Claire Balint Depo Excerpts# <u>14</u> Exhibit Martyny Affidavit Excerpts# <u>15</u> Exhibit Caruolo Declaration# <u>16</u> Exhibit B. Genereux Depo Excerpts# <u>17</u> Exhibit Ashley Depo Excerpts# <u>18</u> Exhibit Chartier- Exhibit-Part One# <u>19</u> Exhibit Chartier- Exhibit-Part Two# <u>20</u> Exhibit Chartier-Exhibit- Part Three# <u>21</u> Exhibit Chartier Exhibit - Pt 4# <u>22</u> Exhibit Chartier Exhibit-Part Five# <u>23</u> Supplement Certificate of Service)(Lindemann. Frances) Modified on 11/30/2006 (Abaid, Kim). (Entered: 11/27/2006)
11/27/2006	<u>119</u>	First MOTION for Leave to File Excess Pages of <i>Motion for Summary Judgment</i> by Hardric Laboratories, Inc..(Lindemann. Frances) (Entered: 11/27/2006)
11/28/2006	<u>123</u>	Opposition re <u>116</u> First MOTION to Dismiss Case as Frivolous <i>under Rule 11</i> filed by Suzanne Genereux. Barry Genereux. (Attachments: # <u>1</u> Exhibit A: Purchase Orders# <u>2</u> Exhibit B: Hardric Website Home Page# <u>3</u> Exhibit C: Richard Depo. Excerpts# <u>4</u> Exhibit D: Chartier Depo. Excerpt (I)# <u>5</u> Exhibit E: Chartier Depo. Excerpt (II)# <u>6</u> Exhibit F: Martyny Depo Excerpt)(Henry, Bradley) (Entered: 11/28/2006)
11/29/2006	<u>126</u>	Sealed Document - Opposition to Motion for Summary Judgment. (Abaid, Kim) (Entered: 11/30/2006)
11/29/2006	<u>127</u>	Sealed Document - Memorandum in Opposition to Motion for Summary Judgment. (Abaid, Kim) (Entered: 11/30/2006)
11/29/2006	<u>128</u>	Sealed Document - Appendix and Exhibits. (Attachments: # (1) Exhibit 1# (2) Exhibit 2# (3) Exhibit 3# (4) Exhibit 4 Part 1# (5) Exhibit 4 Part 2# (6) Exhibit 5 Part 1# (7) Exhibit 5 Part 2# (8) Exhibit 5 Part 3# (9) Exhibit 6# (10) Exhibit 7# (11) Exhibit 8# (12) Exhibit 9# (13) Exhibit 10# (14) Exhibit 11# (15) Exhibit 12# (16) Exhibit 13# (17) Exhibit 14# (18) Exhibit 15# (19) Exhibit 16# (20) Exhibit 17# (21) Exhibit 18# (22) Exhibit 19# (23) Exhibit 20# (24) Exhibit 21# (25) Exhibit 22# (26) Exhibit 23# (27) Exhibit 24# (28) Exhibit 25# (29) Exhibit 26# (30) Exhibit 27)(Abaid, Kim) (Entered: 11/30/2006)
11/30/2006	<u>124</u>	MEMORANDUM in Support re <u>118</u> First MOTION for Summary Judgment filed by Hardric Laboratories, Inc.. (Abaid, Kim) (Entered: 11/30/2006)
11/30/2006	<u>125</u>	Statement of Material Facts L.R. 56.1 re <u>118</u> First MOTION for Summary Judgment filed by Hardric Laboratories, Inc.. (Abaid, Kim) (Entered: 11/30/2006)
11/30/2006	<u>126</u>	Notice of correction to docket made by Court staff. Correction: Docket Entry 118 corrected because: Memorandum and Statement of Facts should be filed as separate documents. Removed from this entry and filed. (Abaid, Kim) (Entered: 11/30/2006)
11/30/2006	<u>127</u>	Notice of correction to docket made by Court staff. Correction: Docket Entry 126 corrected because: Misfiled document. Removed and refiled correctly. (Abaid, Kim) (Entered: 11/30/2006)



12/08/2006	<u>129</u>	MOTION for Leave to File <i>Reply Brief</i> by Brush Wellman, Inc..(Spiro, Alan) (Entered: 12/08/2006)
12/08/2006	<u>131</u>	DECLARATION re [130] Memorandum in Support of Motion, <i>Supplemental Declaration of Marc E. Kolanz</i> by Brush Wellman, Inc.. (Spiro, Alan) (Entered: 12/08/2006)
12/08/2006	<u>132</u>	AFFIDAVIT of Jeffrey D. Ubersax re [130] Memorandum in Support of Motion, <i>Supplemental Affidavit of Jeffrey D. Ubersax</i> by Brush Wellman, Inc.. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4) (Spiro, Alan) (Entered: 12/08/2006)
12/08/2006	<u>133</u>	CERTIFICATE OF SERVICE by Brush Wellman, Inc. re <u>129</u> MOTION for Leave to File <i>Reply Brief</i> , [130] Memorandum in Support of Motion.. <u>131</u> Declaration, <u>132</u> Affidavit. (Spiro, Alan) (Entered: 12/08/2006)
12/12/2006		E-Mail Notice returned as undeliverable. Name of Addressee: Timothy M. Hudson. The ECF Help Desk has contacted the law firm, who advised that the attorney is not associated with the firm. The attorney's email address has been removed from the ECF database to prevent the return of additional undeliverable email notices. (Hurley, Virginia) (Entered: 12/12/2006)
12/14/2006	<u>137</u>	Sealed Document - Opposition. (Abaid, Kim) (Entered: 12/18/2006)
12/14/2006	<u>138</u>	Sealed Document - Statment of Disputed Facts. (Abaid, Kim) (Entered: 12/18/2006)
12/14/2006	<u>139</u>	Sealed Document - Appendix of Exhibits. (Attachments: # (1) Exhibit 1# (2) Exhibit 2# (3) Exhibit 3# (4) Exhibit 4# (5) Exhibit 5 Part 1# (6) Exhibit 5 Part 2# (7) Exhibit 6# (8) Exhibit 7# (9) Exhibit 8# (10) Exhibit 9# (11) Exhibit 10# (12) Exhibit 11# (13) Exhibit 12# (14) Exhibit 13# (15) Exhibit 14# (16) Exhibit 15# (17) Exhibit 16# (18) Exhibit 17# (19) Exhibit 18# (20) Exhibit 19# (21) Exhibit 20# (22) Exhibit 21)(Abaid, Kim) (Entered: 12/18/2006)
12/18/2006	<u>134</u>	First MOTION for Leave to File <i>Reply in Support of Rule 11 Sanctions</i> by Hardric Laboratories, Inc..(Lindemann, Frances) (Entered: 12/18/2006)
12/18/2006	<u>135</u>	First REPLY to Response to Motion re <u>134</u> First MOTION for Leave to File <i>Reply in Support of Rule 11 Sanctions Memorandum of Law</i> filed by Hardric Laboratories, Inc.. (Attachments: # <u>1</u> Exhibit Exhibit A, Part 1# <u>2</u> Exhibit Exhibit A, Part 2# <u>3</u> Exhibit Exhibit B# <u>4</u> Exhibit Exhibit C part 1 GEN-809-810# <u>5</u> Exhibit Exhibit C part 2 GEN 805-8# <u>6</u> Exhibit Exhibit C part 3 GEN802-804# <u>7</u> Exhibit Exhibit C part 4 GEN799-801# <u>8</u> Exhibit Exhibit C part 5 BD365576# <u>9</u> Exhibit Exhibit D# <u>10</u> Exhibit Exhibit E)(Lindemann, Frances) (Entered: 12/18/2006)
12/18/2006	<u>136</u>	CERTIFICATE OF SERVICE by Hardric Laboratories, Inc. re <u>135</u> Reply to Response to Motion... <u>134</u> First MOTION for Leave to File <i>Reply in Support of Rule 11 Sanctions</i> . (Lindemann, Frances) (Entered: 12/18/2006)

12/21/2006	 <u>140</u>	MOTION for Leave to File <i>Reply Memorandum</i> by American Beryllia Corp..(Hanneke, MandiJo) (Entered: 12/21/2006)
12/21/2006	 <u>142</u>	CERTIFICATE OF SERVICE by American Beryllia Corp. re [141] Memorandum in Support of Motion, <u>140</u> MOTION for Leave to File <i>Reply Memorandum</i> . (Hanneke, MandiJo) (Entered: 12/21/2006)
12/28/2006		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>140</u> Motion for Leave to File; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document. (Abaid, Kim) (Entered: 12/28/2006)
01/12/2007	 <u>144</u>	SEALED MOTION - Leave to File - by Suzanne Genereux, Barry Genereux.(Abaid, Kim) (Entered: 01/12/2007)
01/12/2007	 <u>145</u>	Sealed Document - Sur-Reply. (Abaid, Kim) (Entered: 01/12/2007)
03/27/2007	 <u>146</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Susan M. Paakkonen Filing fee \$ 50, receipt number 1460945. by Hardric Laboratories, Inc.. (Attachments: # <u>1</u> Certificate)(Nadeau, Robert) (Entered: 03/27/2007)
03/27/2007	 <u>147</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Timothy C. Dietz Filing fee \$ 50, receipt number 1460960. by Hardric Laboratories, Inc.. (Attachments: # <u>1</u> Certificate)(Nadeau, Robert) (Entered: 03/27/2007)
03/27/2007		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>146</u> Motion for Leave to Appear Pro Hac Vice Added Susan M. Paakkonen for Hardric Laboratories, Inc., granting <u>147</u> Motion for Leave to Appear Pro Hac Vice Added Timothy C. Dietz for Hardric Laboratories, Inc. (Abaid, Kim) (Entered: 03/27/2007)
04/11/2007		Mail Returned as Undeliverable. Mail sent to Kellie Cameron (Abaid, Kim) (Entered: 04/11/2007)
04/20/2007		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>119</u> Motion for Leave to File Excess Pages, granting <u>129</u> Motion for Leave to File; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document., granting <u>134</u> Motion for Leave to File; Counsel using the Electronic Case Filing System should now file the document for which leave to file has been granted in accordance with the CM/ECF Administrative Procedures. Counsel must include - Leave to file granted on (date of order)- in the caption of the document., granting [144] Sealed Motion (Lovett, Zita) (Entered: 04/20/2007)
04/20/2007	 <u>148</u>	MOTION to Withdraw as Attorney by Hardric Laboratories, Inc..(Abaid, Kim) (Entered: 04/20/2007)

04/20/2007	<u>149</u>	NOTICE issued to Attorney Susan M. Paakkonen regarding mandatory use of ECF in compliance with Local Rule 5.4. Failure to comply may result in the imposition of sanctions. (Abaid, Kim) (Entered: 04/20/2007)
07/31/2007		ELECTRONIC NOTICE of Hearing :Hearing set for 8/15/2007 02:15 PM in Courtroom 20 before Judge Joseph L. Tauro. (Lovett, Zita) (Entered: 07/31/2007)
08/01/2007		E-Mail Notice re originally issued on returned as undeliverable. Name of Addressee: Francis Lindemann. The ECF Help Desk has contacted the law firm on record, who advised that the attorney is no longer employed by that firm. The attorneys email address has been removed from the database to prevent the return of additional undeliverable email notices. (Hassett, Kathy) (Entered: 08/01/2007)
08/09/2007		ELECTRONIC NOTICE OF RESCHEDULINGMotion Summary Judgment Hearing set for 9/11/2007 02:15 PM in Courtroom 20 before Judge Joseph L. Tauro. (the hearing set for August 15, 2007 is canceled) NO FURTHER CONTINUANCES WILL BE ALLOWED.(Lovett, Zita) (Entered: 08/09/2007)
08/10/2007	<u>151</u>	MOTION for Leave to Appear Pro Hac Vice for admission of Scott A. Wanner Filing fee \$ 50, receipt number 1625968. by American Beryllia Corp..(Nadeau, Robert) Additional attachment(s) added on 8/13/2007 (Abaid, Kimberly). (Entered: 08/10/2007)
08/13/2007		Notice of correction to docket made by Court staff. Correction: Docket Entry 151 corrected because: Added actual motion to the docket entry (Abaid, Kimberly) (Entered: 08/13/2007)
08/13/2007		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>151</u> Motion for Leave to Appear Pro Hac Vice Added Scott A. Wanner for Hardric Laboratories, Inc. Attorneys admitted Pro Hac Vice must register for electronic filing. To register go to the Court website at www.mad.uscourts.gov. Select Forms and then scroll down to CM/ECF Forms.(Abaid, Kimberly) (Entered: 08/13/2007)
09/11/2007		Electronic Clerk's Notes for proceedings held before Judge Joseph L. Tauro : Motion Hearing held on 9/11/2007 re <u>109</u> MOTION for Summary Judgment filed by American Beryllia Corp., <u>102</u> MOTION for Summary Judgment filed by Brush Wellman, Inc., <u>118</u> First MOTION for Summary Judgment filed by Hardric Laboratories, Inc.. After arguments motions taken under advisement. (Court Reporter Carol Scott.) (Lovett, Zita) (Entered: 09/11/2007)
09/13/2007	<u>152</u>	MOTION for Leave to File <i>Limited Supplemental Brief and Two Additional Exhibits in Opposition to Defendants' Various Summary Judgment Motions and Plaintiffs' L.R. 7.1 Certification</i> by Suzanne Genereux, Barry Genereux. (Attachments: # <u>1</u> Exhibit A - Med. Rec. - Dr. Ashley Office Note# <u>2</u> Exhibit B - Dr. Ashley Depo Excerpts)(Henry, Bradley) (Entered: 09/13/2007)
09/13/2007	<u>153</u>	MEMORANDUM OF LAW by Suzanne Genereux, Barry Genereux to



		<u>152</u> MOTION for Leave to File <i>Limited Supplemental Brief and Two Additional Exhibits in Opposition to Defendants' Various Summary Judgment Motions and Plaintiffs' L.R. 7.1 Certification</i> , <u>109</u> MOTION for Summary Judgment, <u>102</u> MOTION for Summary Judgment, <u>118</u> First MOTION for Summary Judgment. (Henry, Bradley) (Entered: 09/13/2007)
09/14/2007	<u>154</u>	First Opposition re <u>152</u> MOTION for Leave to File <i>Limited Supplemental Brief and Two Additional Exhibits in Opposition to Defendants' Various Summary Judgment Motions and Plaintiffs' L.R. 7.1 Certification</i> filed by Hardric Laboratories, Inc.. (Nadeau, Robert) (Entered: 09/14/2007)
09/14/2007		Judge Joseph L. Tauro : Electronic ORDER entered granting <u>152</u> Motion for Leave to File (Abaid, Kimberly) (Entered: 09/17/2007)
09/17/2007	<u>155</u>	Response by Brush Wellman, Inc. to <u>153</u> Memorandum of Law, - <i>Response of Defendant Brush Wellman, Inc. to Plaintiffs' Supplemental Brief</i> . (Spiro, Alan) (Entered: 09/17/2007)
09/17/2007	<u>156</u>	Response by American Beryllia Corp. to <u>153</u> Memorandum of Law, <i>Response of American Beryllia to Plaintiffs' Supplemental Memorandum</i> . (Hanneke, MandiJo) (Entered: 09/17/2007)
09/27/2007	<u>157</u>	SEALED MEMORANDUM. (Abaid, Kimberly) (Entered: 09/27/2007)
09/27/2007	<u>158</u>	Judge Joseph L. Tauro : ORDER entered <u>102</u> Motion for Summary Judgment, <u>109</u> Motion for Summary Judgment, and <u>118</u> Motion for Summary Judgment are ALLOWED. <u>116</u> Motion to Dismiss is DENIED. <u>148</u> Motion to Withdraw as Attorney is ALLOWED. (Abaid, Kimberly) (Entered: 09/27/2007)
09/27/2007	<u>159</u>	Judge Joseph L. Tauro : ORDER entered. On September 27, 2007, this court issued a memorandum concerning the above-captioned case under seal, consistent with the status of much of the evidence. Parties shall advise this court by October 15, 2007 if they object to the publication of this opinion. Prior to doing so, they should consult with Raytheon to determine if it has any objection to publication.(Abaid, Kimberly) (Entered: 09/27/2007)
10/15/2007	<u>160</u>	Letter re: Publication from Alan M. Spiro. (Abaid, Kimberly) (Entered: 10/15/2007)
10/17/2007	<u>161</u>	Letter/request (non-motion) from Ronald M. Jacobs, Counsel for Raytheon Company <i>Regarding Publication of Summary Judgment Decision</i> . (Jacobs, Ronald) (Entered: 10/17/2007)
10/25/2007	<u>162</u>	NOTICE OF APPEAL as to <u>158</u> Order on Motion for Summary Judgment,, Order on Motion to Dismiss Case as Frivolous,, Order on Motion to Withdraw as Attorney,,,, by Suzanne Genereux. Barry Genereux Filing fee \$ 455, receipt number 1718816 NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at <a href="http://www.ca1.uscourts.gov/clerks/transcript.htm">http://www.ca1.uscourts.gov/clerks/transcript.htm</a> MUST be completed

		and submitted to the Court of Appeals. Appeal Record due by 11/14/2007. (Ainsworth, Peter) (Entered: 10/25/2007)
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